REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-4 and 6-9 are currently pending. Claims 1 and 7-9 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II.   REJECTIONS UNDER 35 U.S.C. §112

Claim 4 has been

III.   REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-4 and 6-9 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,697,948 to Rabin *et al.* (hereinafter, "Rabin") in view of U.S. Patent No. 6,801,999 to Venkatesan *et al.* (hereinafter, "Venkatesan").

Applicants respectfully traverse this rejection.

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Independent claim 1 recites, *inter alia*:

"comparing content usage rights information with status code information, the status code information showing the usage status of contents stored on a contents distribution server;
. . .
wherein said content usage rights information contains a user's rights to use the contents stored on the contents distribution server for a predetermined number of times, a predetermined end date/time showing the usable end time until which said contents can be used, a time period showing both a start date/time and an end date time over which the contents can be used, and a usage time showing an amount of time for which the content can be used." (emphasis added).

As understood by the Applicants, Rabin discloses "supervising usage of software on a user's device and for a monitoring regime that prevents a device from employing any instance of software in a manner not authorized by the legitimate vendor or owner of the rights to that software." Col. 2, lines 60-65.

The system Rabin device includes "a software vendor producing instances of software and a tag server accepting the instances of software. The tag server produces a plurality, of tags, one per instance of software, and each tag uniquely identifies an instance of software with which it is associated. A user device receives and installs an instance of software and securely receives a tag uniquely associated with that instance of software. The user device includes a supervising program which detects attempts to use the instance of software and which verifies the authenticity of the tag associated with the instance of software before allowing use of the instance of software. The supervising program on the user device verifies the authenticity of the tag . . ." Col. 3, lines 47-65. Indeed, Rabin gives the example of the ineffectiveness of "software locks" because the owner of the machine has unrestricted privileges and unlimited time to bread locks. Col. 2, lines 23-25. This is another indication that the Rabin device is for contents installed in the user's device.

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Thus, in Rabin, both the software (contents) and supervising program (status key) are installed <u>on the user's device</u>.

In contrast, claim 1, as amended, recites, "contents <u>stored on a contents distribution server</u>." First, the contents are not stored on the user's device as in Rabin. In the present application there is a central location that stores the contents that have a usage restriction.

Secondly, claim 1, as amended, recites, "wherein said content usage rights information contains a user's rights to use the contents stored on the contents distribution server for a predetermined number of times, a predetermined end date/time showing the usable end time until which said contents can be used, a time period showing both a start date/time and an end date time over which the contents can be used, and a usage time showing an amount of time for which the content can be used." That is, the present application recites at least <u>four limitation categories that are recorded for contents usage rights of a user</u>.

Thus, the present application allows the user to utilize the contents from a contents distribution server within the range of the content usage rights information, and the server stores that usage status in the status code information when the user has utilized the contents. The contents usage rights information and the status code are then compared, and a determination made as to whether the contents are usable or not usable.

When determined that the contents are usable, the status code information is compared with the output setting information. When the status code information has reached the limits of the output setting information, warning report data is outputted to inform the user that the usable range of the contents is becoming small.

In other words, the user can grasp by means of this warning report data, the fact that the usage right deadline of the contents is near, before those content usage rights are actually gone.

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The user therefore knows in advance that contents usage rights are ending and so no longer faces the situation of suddenly being unable to utilize the contents. Publ. App. [0016]-[0018].

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 7-9 are also believed to be patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1-4 and 6-9 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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